

By: Lucio III

H.B. No. 3844

A BILL TO BE ENTITLED

AN ACT

relating to the determination of actual damages to enable compensation from the manufactured homeowners' recovery trust fund.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1201.405(e), Occupations Code, is amended to read as follows:

(e) In determining the amount of actual damages under this section, the director shall make an independent inquiry as to the damages actually incurred, unless the damages have been previously established through a ~~[by a contested jury]~~ trial.

SECTION 2. The change in law made by this Act applies only to a complaint under Section 1201.406(a), Occupations Code, filed on or after the effective date of this Act. A complaint filed before the effective date of this Act is covered by the law in effect on the date the complaint was filed, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2013.